

Remarks

Rejections Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1-3, 5, 7-10, 13-18, 21, 22, 24, and 27 under 35 U.S.C. § 102(b) as anticipated by United States patent number 4,518,999 issued to Kurata et al (hereinafter referred to as Kurata). The Applicant respectfully requests careful consideration of the following remarks regarding the amendments to the claims to overcome the rejections

Rejections of Claims 1-3, 5, 7, and 8 Under 35 U.S.C. § 102(b)

The amended claim 1 includes the limitations of "a scan window illumination device including a plurality of light sources with individual of the plurality of moveable position markers including a one of the plurality of the light sources and with ***the plurality of the light sources configured to direct light into the first side and the second side***". (emphasis added) The Applicant contends that this limitation is not disclosed within Kurata.

For example, at column 4 line 65 through column 5 line 2 of Kurata it is disclosed that "although fluorescent lamps are used for directing light onto the cursor to detect the position thereof, a light emitting element such as a light emission diode may be provided at the cursor to detect the position thereof without using any fluorescent lamp". Thus, this section of Kurata seems to be directed to a way "to detect the position" of the cursor with "a light emission diode" "without using any fluorescent lamp". In contrast, the "the plurality of the light sources" in the amended claim 1 are "configured to direct light into the first side and the second side" of "the member". The cited section of Kurata does not disclose this.

Because Kurata does not disclose all the limitations of the amended claim 1, Kurata does not anticipate the amended claim 1. Accordingly, the Applicants respectfully request withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(b). Claims 2, 7, and 8 are dependent, either directly or indirectly, upon the amended claim 1 and thereby incorporate all the limitations of the amended claim

1. Therefore, for at least the reason that the amended claim 1 is not anticipated by Kurata, claims 2, 7, and 8 are not anticipated by Kurata. Accordingly, the Applicant respectfully requests withdrawal of the rejection of claims 2, 7, and under 35 U.S.C. § 102(b). Claims 3 and 5 have been canceled rendering the rejection of these claims moot.

Rejections of Claims 9 and 10 Under 35 U.S.C. § 102(b)

The amended claim 9 includes the limitation of "a scan window illumination device including ***a light source configured to generate a focused beam of light to trace*** at least part of ***a perimeter of the scan window.***" (emphasis added) In rejecting the originally filed claim 9, the Examiner seemed to be asserting (in the first full paragraph on page 4 of the office action response) that the limitations of the originally filed claim 9 read upon subject matter disclosed in column 4, line 65 through column 5, line 2 of Kurata.

This section of Kurata discloses that "although fluorescent lamps are used for directing light onto the cursor to detect the position thereof, a light emitting element such as a light emission diode may be provided at the cursor to detect the position thereof without using any fluorescent lamp". The Applicant respectfully contends that this section of Kurata does not disclose ***"a focused beam of light to trace*** at least a part of a perimeter of the scan window". (emphasis added) Rather, this section of Kurata seems to be directed to a way "to detect the position" of the cursor with "a light emission diode" "without using any fluorescent lamp".

Because Kurata does not disclose all the limitations of the amended claim 9, Kurata does not anticipate the amended claim 9. Accordingly, the Applicants respectfully request withdrawal of the rejection of claim 9 under 35 U.S.C. § 102(b). Claim 10 is dependent, either directly or indirectly, upon the amended claim 9 and thereby incorporates all the limitations of the amended claim 9. Therefore, for at least the reason that the amended claim 9 is not anticipated by Kurata, claim 10 is not anticipated by Kurata. Accordingly, the Applicant respectfully requests withdrawal of the rejection of claim 10 under 35 U.S.C. §

102(b).

Rejections of Claims 13-18 Under 35 U.S.C. § 102(b)

The amended claim 13 includes the limitations of "a scan window illumination device configured to define the scan window with a perimeter, the scan window illumination device comprising ***a light source configured to generate a focused beam of light to trace at least part of the perimeter***". (emphasis added) In rejecting the originally filed claim 14, the Examiner seemed to be asserting (in the last paragraph on page 4 of the office action response and the last full paragraph on page 3 of the office action response) that the limitations of the originally filed claim 14 read upon subject matter disclosed in column 4, line 65 through column 5, line 2 of Kurata.

This section of Kurata discloses that "although fluorescent lamps are used for directing light onto the cursor to detect the position thereof, a light emitting element such as a light emission diode may be provided at the cursor to detect the position thereof without using any fluorescent lamp". The Applicant respectfully contends that this section of Kurata does not disclose "a light source configured to generate ***a focused beam of light to trace at least part of the perimeter***". (emphasis added) Rather, this section of Kurata seems to be directed to a way "to detect the position" of the cursor with "a light emission diode" "without using any fluorescent lamp".

Because Kurata does not disclose all the limitations of the amended claim 13, Kurata does not anticipate the amended claim 13. Accordingly, the Applicants respectfully request withdrawal of the rejection of claim 13 under 35 U.S.C. § 102(b). Claims 15-18 are dependent, either directly or indirectly, upon the amended claim 13 and thereby incorporate all the limitations of the amended claim 13. Therefore, for at least the reason that the amended claim 13 is not anticipated by Kurata, claims 15-18 are not anticipated by Kurata. Accordingly, the Applicant respectfully requests withdrawal of the rejections of claims 15-18 under 35 U.S.C. § 102(b). Claim 14 has been canceled rendering the rejection of this claim moot.

Rejections of Claims 21, 22, 24, and 27 Under 35 U.S.C. § 102(b)

The amended claim 21 includes the limitations of ***"tracing at least a portion of a perimeter of the scan window on the scanable surface using at least one focused beam of light."*** (emphasis added) In rejecting the originally filed claim 24, the Examiner seemed to be asserting (in the last paragraph on page 4 of the office action response and the last full paragraph on page 3 of the office action response) that the limitations of the originally filed claim 24 read upon subject matter disclosed in column 4, line 65 through column 5, line 2 of Kurata.

This section of Kurata discloses that "although fluorescent lamps are used for directing light onto the cursor to detect the position thereof, a light emitting element such as a light emission diode may be provided at the cursor to detect the position thereof without using any fluorescent lamp". The Applicant respectfully contends that this section of Kurata does not disclose ***"tracing at least a portion of a perimeter of the scan window on the scanable surface using at least one focused beam of light."*** (emphasis added) Rather, this section of Kurata seems to be directed to a way "to detect the position" of the cursor with "a light emission diode" "without using any fluorescent lamp".

Because Kurata does not disclose all the limitations of the amended claim 21, Kurata does not anticipate the amended claim 21. Accordingly, the Applicants respectfully request withdrawal of the rejection of claim 21 under 35 U.S.C. § 102(b). Claim 27 is dependent, either directly or indirectly, upon the amended claim 21 and thereby incorporates all the limitations of the amended claim 21. Therefore, for at least the reason that the amended claim 21 is not anticipated by Kurata, claim 27 is not anticipated by Kurata. Accordingly, the Applicant respectfully requests withdrawal of the rejections of claim 27 under 35 U.S.C. § 102(b). Claims 22 and 24 have been canceled rendering the rejection of these claims moot.

Rejections of Claims 4, 6, 23, and 25 Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 4, 6, 23, and 25 as obvious over Kurata in view of "well known in the art". The Applicant does not concede that the subject matter of these claims not disclosed in Kurata is "well known in the art" and reserves the option to pursue the patentability of this subject matter. The Applicant has canceled these claims in this office action response. Therefore the rejections of these claims under 35 U.S.C. § 103(a) has been rendered moot. Accordingly, the Applicant respectfully requests withdrawal of the rejections of claims 4, 6, 23, and 25 under 35 U.S.C. § 103(a)

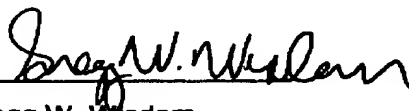
Allowable Subject Matter

The Examiner has indicated that originally filed claims 11, 12, 20, 26 include allowable subject matter.

Conclusion

The Applicants respectfully contend that the subject application is in a condition for allowance. Allowance is respectfully requested.

Respectfully submitted,
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Amendment B